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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/935,396

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9829

7590

08/10/2006

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EXAMINER

JACOBS, LASHONDA T

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 08/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/935,396

Applicant(s)

GUSLER ET AL.

Examiner

LaShonda T. Jacobs

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

This Office Action is response to Applicants Appeal Brief filed on May 16, 2006. The Final Rejection has been withdrawn. Claims 1-22 are presented for further examination.

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frye et al (hereinafter, "Frye", U.S. Pub. No. 2001/0032105) in view of Helzerman (U.S. Pat. No. 6,901,372).

As per claims 1, 9 and 16, Frye discloses a method, system and computer readable medium for automated project accountability comprising:

- determining at least one decision maker of a project preparation (abstract and paragraph 0030);
- determining a project readiness as a function of the project assessments (paragraphs 0034 and 0040).
- providing a readiness category rating for the readiness category (paragraph 0040);
- conducting a project assessment as a function of the decision process (paragraphs 0034 and 0040).

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However, Frye does not explicitly disclose:

- determining a readiness category for the decision maker; and
- determining a decision process for the readiness category and readiness category rating.

Helzerman discloses a quality operation system for performing manufacturing projects comprising:

- determining a readiness category for the decision maker (col. 4, lines 41-64); and
- determining a decision process for the readiness category and readiness category rating (col. 3, lines 25-53 and col. 6, lines 22-49).

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Frye by incorporating or implementing a quality operating system for developing and conducting concept feasibility and ready phases for a desired product to ensure that the manufacturing project is completed in a timely and efficient manner.

As per claims **2, 10** and **17**, Frye discloses the invention substantially as claims discussed above.

However, Frye does not explicitly disclose:

- assigning vote weighting to the decision maker.

Helzerman discloses a quality operation system for performing manufacturing projects comprising:

- assigning vote weighting to the decision maker (col. 2, lines 48-63 and col. 4, lines 41-64); and

Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Frye by incorporating or implementing a quality operating system

for selecting and assigning members of technology group project assignments for a desired product to ensure that the manufacturing project is completed in a timely and efficient manner.

As per claims **3, 11 and 18**, Frye discloses:

- changing a project management application graphical interface, as a function of the project assessment (paragraphs 0033 and 0034).

As per claims **4, 12 and 19**, Frye discloses:

- assigning a time limit (milestones, dates, etc.) in association with the project assessment and the project readiness (paragraph 0025).

As per claims **5, 13 and 20**, Frye discloses:

- providing a collaborative environment for the decision maker (paragraph 0031).

As per claim **6**, Frye discloses:

- wherein the collaborative discussion mechanism is invoked for determining the readiness category, determining the decision process, conducting the project assessment, and determining the project readiness (paragraph 0031).

As per claims **7 and 21**, Frye discloses wherein the determination of at least one decision maker further comprises:

- providing project information from a project creator; accessing a data repository; retrieving a list from the data repository; selecting a project decision maker as a function of the project information and list; and selecting at least one contributing decision maker as a function of the project information, list, and project decision maker (paragraphs 0031 and 0040, Frye discloses different stage approvers to review and decide whether the program (project) is ready to advance to the next stage).

As per claims 8 and 22, Frye discloses:

- providing technical information from the project creator (paragraph 0030); and
- providing security information from the project creator (paragraph 0033).

### *Conclusion*


Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 571-272-4004. The examiner can normally be reached on 8:30 A.M.-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShonda T Jacobs  
Examiner  
Art Unit 2157

ltj  
August 2, 2006

  
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